

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bastian et al.

U.S. Serial No.: 09/536,736

Filed: March 28, 2000

Title: Method for Isolating and Purifying  
Nucleic Acids on Surfaces

Art Unit: 1636

Examiner: R. Akhavan

Art Unit: 1600

Legal Instruments Examiner:  
T. Plunkett

Attorney Docket No.: QGN-009.1 US

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith: [X] a Response to Notice of Non-Compliant Amendment (37 CFR 1.121) and [X] a return-receipt postcard, for filing in the above-captioned patent application.

**FEE FOR ADDITIONAL CLAIMS**

[X] A fee for additional claims is not required.

[ ] A fee for additional claims is required. The additional fee has been calculated as shown below:

|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | NUMBER OF<br>EXCESS<br>CLAIMS | RATE    | FEES DUE      |
|---|---|---|-------------------------------|---------|---------------|
| TOTAL CLAIMS                                | <u>56</u>                                 | <u>118</u>                                  | <u>00</u>                     | × \$50  | = 0.00        |
| INDEPENDENT                                 | <u>2</u>                                  | <u>3</u>                                    | <u>0</u>                      | × \$200 | = 0.00        |
| FIRST INTRODUCTION OF MULT. DEPENDENT CLAIM |   |   |                               | +\$360  | = 0.00        |
| <b>TOTAL FEES DUE</b>                       |   |   |                               |         | <b>= 0.00</b> |

**PAYMENT OF ADDITIONAL FEES**

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the fees for late filing of the oath/declaration is transmitted herewith. {check no. \_\_\_\_\_}



- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR 1.16 or 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

**PETITION FOR EXTENSION OF TIME**

- [ ] Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the Response filed herewith: [ ] \$120.00 for response within first month pursuant to 37 CFR 1.17(a)(1);  
[ ] \$450.00 for response within second month pursuant to 37 CFR 1.17(a)(2);  
[ ] \$1,020.00 for response within third month pursuant to 37 CFR 1.17(a)(3);  
[ ] \$1,590.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4);  
[ ] \$2,160.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5).
- [ ] A check in the amount of [ ] \$120.00 [ ] \$450.00 [ ] \$1020.00 [ ] \$1,590.00 [ ] \$2,160.00 in payment of the extension fee is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate of this transmittal letter is submitted herewith.

Respectfully submitted,



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**Certificate of Mailing**

The undersigned hereby certifies that this correspondence and any accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office Addressee" Service under 37 CFR § 1.10, postage prepaid, Express Mailing Label No. **EV509622451US** in an envelope addressed to: **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

October 7, 2005

date

  
Melanie A. McFadden



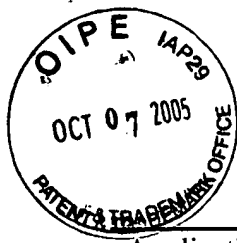
U.S. Serial No. 09/536,736  
(Atty. Docket No.: QGN-009.1 US)

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

The undersigned hereby certifies that this correspondence and any accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10, postage prepaid, Express Mailing Label No. **EV 509622451 US** in an envelope addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

October 7, 2005  
Date

Melanie A. McFadden  
Melanie A. McFadden



10-11-05

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

This paper is submitted in response to a Notice of Non-Compliant Amendment (37 CFR 1.121), dated September 30, 2005, in the above-identified application which notice requires Applicants to provide a revised Listing of the Claims section of Applicants' after final amendment (originally submitted June 22, 2005) that accompanied a Request for Continuation Examination (RCE), filed September 15, 2005. In particular, the Examiner has instructed Applicants to provide a corrected Listing of the Claims that includes the text of Claim 65 (not entered) and Claim 66 (not entered).

As this paper is filed within one-month of the date of the above-mentioned notice, no fee is believed to be due. Nevertheless, to avoid abandonment, the Commissioner is hereby authorized to charge any other fee required for this response to Deposit Account No. 50-0268.

**Amendments to the Claims** are reflected in the listing of the claims that begins on page 2, below.

Applicants' **Remarks** follow on page 13.